

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 5, 2002

D037015 Unger v. Imperial Sands Mobile Park, LLC.,

The judgment is affirmed. Benke, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

D040472 Miller v. Superior Court of San Diego County/People

The petition is denied.

D037142 People v. Verlinde

The conviction for vehicular manslaughter without gross negligence is reversed. The great bodily injury enhancement (section 12022.7, subd. (a)) for injuries inflicted upon Vessells is vacated and remanded to the trial court for a new trial with these directions: The district attorney shall have 30 days after the remittitur is filed in which to give notice of his intent to seek retrial of the great bodily injury allegation for injuries inflicted upon Vessells. (see *People v. Henley* (1999) 72 Cal.App.4th 555, 566-567.) If the district attorney gives such notice, the trial court shall conduct further proceedings in accordance with this opinion. If the district attorney fails to give such notice, the court shall dismiss the allegation, resentence Verlinde as the court deems appropriate, amend the abstract of judgment, and forward a copy of the amended abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed. CERTIFIED FOR PUBLICATION. McConnell, J.; We Concur: Nares, Acting P.J., McDonald, J.

D040207 People v. Eady

All proceedings in this cause have permanently abated by reason of appellant's death. The Superior Court is directed to enter its order to that effect in the record. There no longer being an appellate objective, the appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 6, 2002

No minutes this date.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 7, 2002

D038587 City of San Diego et al. v. Furgatch/Teyssier

D038751 City of San Diego et al. v. Furgatch/Teyssier

**D038879 Skane et al. v. City of San Diego et al./Public Facilities Financing Authority of the
City of San Diego et al.**

Opinion dated July 17, 2002 is modified there is no change in judgment.

D039027 In re Briana G., a Juvenile

The order is affirmed. McIntyre, J.; We Concur: Kremer, P.J., Benke, J.

D037970 People v. Cunningham

The judgment is affirmed. Benke, J.; We Concur: Kremer, P.J, Huffman, J.

D038142 Fiber-Tech Engineering, Inc. v. Bernard Bros. Inc.

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J, Haller, J.

D037122 People v. Cox

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Benke, J.

D039648 In Irais T., a Juvenile

The judgments are affirmed. McIntyre, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 8, 2002

D038873 People v. Lowary

The judgment is affirmed as modified. The trial court is directed to amend its abstract of judgment and forward a copy of the amended abstract of judgment to the Department of Corrections. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D040361 A.B.H. Investments, Inc., et al. v. Narven Enterprises, Inc., et al.

Appellant's motion to vacate dismissal and reinstate appeal is granted. The order of dismissal is vacated and the appeal is reinstated.

D040286 Smith v. Workers Compensation Appeals Board and San Diego State University et al.

The petition is denied.

D040591 People v. Bradway

The appeal is dismissed as untimely.

D040445 Copley Press, Inc., etc., et al., v. Superior Court of San Diego County/Westerfield et al.

Let a writ of mandate issue directing the superior court to vacate its order of July 12, 2002, and enter an order (a) releasing the sealing orders, inventories and returns related to warrant nos. 27802, 27809, 27813, 27818, 27830, 27845 and 27846, except to the extent the documents refer to names deemed confidential at trial; (b) releasing the affidavit in support of warrant no. 27846 subject to any sealing ordered by the trial court in connection with pretrial rulings not at issue in the Westerfield writ proceeding; (c) releasing the affidavit in support of warrant no. 27813 after redaction to conform to Attachment 1 to the May 3 opinion; and (d) maintaining under seal the material described on Attachment 1 to the May 3 opinion until the conclusion of trial. The clerk of this court is directed to return the documents submitted pursuant to our order of July 25, 2002, to superior court. This opinion is made final immediately as to this court. (Cal. Rules of Court, rule 24(d).) McIntyre, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D038866 Elkhorn Ranch, Inc. v. Caspian, Inc.

Upon filing a written abandonment and request for dismissal of appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)).

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 9, 2002

D040315 In re James B., a Juvenile.

The appeal is dismissed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D038927 People v. Shariff

The order placing Shariff on probation is reversed and the matter is remanded for placement on probation subject to terms consistent with this opinion. In all other respects, the judgment is affirmed.

McDonald, J.; We Concur: Kremer, P.J., Benke, J.

D038486 Hopkins v. San Diego Unified Port District et al.

The judgment is affirmed. Benke, Acting P.J.; We Concur: Haller, J., McDonald, J.

D030982 People v. Valadez

D036313 In re Valadez on Habeas Corpus

The pending petition for writ of habeas corpus, D036313, is consolidated with the pending appeal, D030982, for disposition. The judgment is reversed. The matter is remanded to the trial court for resentencing. The petition for writ of habeas corpus is denied. CERTIFIED FOR PARTIAL PUBLICATION. Benke, Acting P.J.; We Concur: Huffman, J., Haller, J.

D040573 Sharp Coronado Hospital et al. v. Superior Court of San Diego County/Grady et al.

The petition is denied.

D040597 Szynter v. Superior Court of San Diego County/Morgan et al.

The appeal is dismissed.